

GEOFFREY A. HANSEN  
Acting Federal Public Defender  
ANGELA M. HANSEN  
Assistant Federal Public Defender  
555 - 12th Street, Suite 650  
Oakland, CA 94607-3627  
Telephone: (510) 637-3500  
Counsel for Defendant CRAIG

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-12-00554 SBA
	)	
Plaintiff,	)	STIPULATED REQUEST TO CONTINUE
	)	HEARING DATE TO NOVEMBER 6,
v.	)	2012 AND TO EXCLUDE TIME UNDER
	)	THE SPEEDY TRIAL ACT AND
	)	<del>PROPOSED</del> ORDER
	)	
CLYDE ALLEN CRAIG,	)	
	)	Hearing Date: October 16, 2012
	)	Time: 9:30 a.m.
Defendant.	)	
	)	
	)	<b><u>The Honorable Kandis A. Westmore</u></b>

The above-captioned matter is set on October 16, 2012 before the Honorable Kandis Westmore for a status hearing. The parties jointly request that the Court continue the matter to November 6, 2012, at 9:30 a.m., before the sitting magistrate court, and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, between October 16, 2012 and November 6, 2012, so that the defense can have time to review the discovery, to research the Guidelines range and to obtain prior records.

On July 12, 2012, the grand jury charged Clyde Allen Craig with violations of 18 U.S.C. § 2252, the possession and distribution of child pornography. On July 18, 2012, Mr. Craig was arraigned on the Indictment and pleaded not guilty. On the most serious charge, Mr. Craig faces

1 a minimum sentence of 15 years imprisonment and a maximum sentence of 40.

2 The government produced discovery in this case. The defense has reviewed that  
3 discovery but needs additional time to review the discovery with her client and to conduct an  
4 evidence view. The defense also needs time to investigate the case and to obtain prior conviction  
5 records to assess Mr. Craig's sentencing Guidelines range. For these reasons, the defense  
6 requests additional time, and the parties agree that this is an appropriate reason to continue this  
7 case until November 6, 2012.

8 The parties stipulate and agree that the ends of justice served by this continuance  
9 outweigh the best interest of the public and the defendant in a speedy trial. The parties further  
10 agree that the failure to grant this continuance would unreasonably deny counsel for defendant  
11 the reasonable time necessary for effective preparation, taking into account the exercise of due  
12 diligence. Accordingly, the parties agree that the period of time from October 16, 2012 until  
13 November 6, 2012, should be excluded in accordance with the provisions of the Speedy Trial  
14 Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of defense counsel, taking  
15 into account the exercise of due diligence.

16 DATED: October 12, 2012

/S/  
\_\_\_\_\_  
RODNEY VILLAZOR  
Assistant United States Attorney

18 DATED: October 12, 2012

/S/  
\_\_\_\_\_  
ANGELA M. HANSEN  
Assistant Federal Public Defender

**ORDER**

Based on the reasons provided in the stipulation of the parties above, the Court hereby  
FINDS:

1. Given that the defense needs additional time to review the discovery produced  
with her client and to conduct an evidence view;

2. Given that the defense has requested additional time to investigate the case and to  
obtain prior conviction records to assess the sentencing Guidelines range;

3. Given that these above-listed tasks are necessary to the defense preparation of the  
case and that the failure to grant the requested continuance would unreasonably deny counsel for  
defendant the reasonable time necessary for effective preparation, taking into account the  
exercise of due diligence;

4. Given that the ends of justice served by this continuance outweigh the best interest  
of the public and the defendant in a speedy trial;

Based on these findings, IT IS HEREBY ORDERED that the STATUS date of October  
16, 2012, scheduled at 9:30 a.m., before the Honorable Kandis A. Westmore, is vacated and reset  
for November 6, 2012, at 9:30 a.m., before the sitting United States Magistrate Court. It is  
FURTHER ORDERED that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. §  
3161(h)(7)(A) and (B)(iv), from October 16, 2012 until November 6, 2012.

October 12, 2012

  
KANDIS A. WESTMORE  
United States Magistrate Judge